IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 116 of 2001

For Approval and Signature:

HONOURABLE MR.JUSTICE JAYANT PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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SHANABHAI PANCHABHAI VASAVA - Petitioner(s)
Versus
STATE OF GUJARAT & 2 - Respondent(s)

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Appearance :

HL PATEL ADVOCATES for Petitioner(s) : 1,
GOVERNMENT PLEADER for Respondent(s) : 1 - 3.

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CORAM : HONOURABLE MR.JUSTICE JAYANT PATEL

Date : 06/07/2006

ORAL JUDGMENT

The petitioner has preferred the petition for challenging the order passed by the District

Collector and its confirmation thereof by the State Government whereby the authorization of fair price shop was canceled.

Upon hearing Mr.D.V.Vakil for the petitioner and Mr.Mengdey, learned AGP, it appears that the fair price authorization is closed/terminated since the year 1995 and interim relief has been granted by this Court pending the petition.

Fair price authorization is a matter pertaining to the contracts and the period of about seven years has passed after the termination of the authorization and the petitioner has not continued with the fair price shop and therefore, no useful purpose would be served by examining the legality and validity of the order passed by the District Collector or by the State Government.

Mr.Vakil, learned advocate for the petitioner lastly submitted that if the petitioner would be entitled for applying afresh for authorization, the liberty may be reserved by this Court for said purpose.

In my view, as per the prevailing policy of the State Government, if any fair price authorization is to be given and the petitioner is fulfilling the eligibility criteria, then he may apply in accordance with law. Therefore, subject to the aforesaid observations, the petition is disposed of. Rule discharged.

(JAYANT PATEL, J.)

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